

ANDOVER BOARD OF HEALTH

Minutes

December 8, 2008, 6 P.M.

1st Floor Conference Room

36 Bartlet Street

The Board of Health meeting was called to order at 6:02 p.m. Present were Ms. Candace B. Martin, Chairman, Dr. Donald H. Miller, Vice-Chairman, Ms. Margaret N. Kruse, Clerk, and Mr. Thomas G. Carbone, Director of Public Health.

I. Approval of Minutes

- **November 3, 2008, Regular Session**
- **November 3, 2008, Executive Session**
- **November 24, 2008, Workshop Session**

Motion by Ms. Kruse, seconded by Dr. Miller to approve the Minutes of the Meetings of November 3, 2008, Regular Session, November 3, 2008, Executive Session, and November 24, 2008, Workshop Session. Unanimous Approval.

II. Appointments & Hearings

- **Appoint Michelle Grant as Health Agent (Contract Work)** – Mr. Carbone explained to the Board that Mr. Tom Murphy, the Food Inspector the Board used in the past, has not been available, so Mr. Carbone asked for some resumes to find another person to help out with the food inspections. Mr. Carbone explained to the Board that Ms. Grant was the Food Inspector in North Andover and that he wanted her to join the Health Division as the Health Agent for contract work that would be funded with Grant money. Mr. Carbone stated that he would write a letter of introduction for her.

Motion by Ms. Martin, seconded by Ms. Kruse to appoint Michelle Grant as Health Agent for contract work. Unanimous Approval.

III. Discussion

- **Sign Home Care Inc. Agreement** – Mr. Carbone explained that this is a yearly agreement for nursing backup in an emergency or for extra nursing services as needed. This contract does not cost the Health Division any money. Ms. Martin, Chairman, signed the agreement, and Mr. Carbone took the document for mailing.

- **Set 2009 Meeting Dates** - The Board decided on the meeting dates for the next four months: Monday, January 12, 2009, Monday, February 9, 2009, Monday, March 9, 2009, and Monday, April 13, 2009.

IV. Old Business

- **Adopt Sewer Regulations** – Mr. Carbone told the Board that there were still some minor, technical issues in the new regulations that needed to be addressed. Mr. Carbone hoped that the corrections could be made and approved in time to implement the new regulations by March 1, 2009. He will keep the Board posted.
- **2 Carriage Hill Road** – Mr. Carbone explained that the Application for Criminal Complaint with the Housing Court had not been completed as of this time, but that he had a DRAFT ready and would be filing with the court tomorrow. Mrs. Wolfe would receive a notice to meet with the Court Clerk and Mr. Carbone at a later date at the Housing Court. Ms. Martin stated that she called the Board of Health's Liaison with the Board of Selectmen, Ted Teichert, to let him know what the Board of Health was planning to do. Mr. Carbone spoke with Buzz Stapczynski, Town Manager, to let him know that the Board of Health would be filing the application and would be sending a letter to the Board of Selectmen to let them know also. The Board discussed the DRAFT letter that Ms. Martin prepared for the Board of Selectmen, and decided to add a sentence stating that the preference remains that the Board of Selectmen allow Town Counsel to take the case to Superior Court as a civil case. The Board decided that if the Board of Selectmen changed its mind, Mr. Carbone could withdraw the Application to Housing Court. Mr. Carbone stated that he will check with Town Counsel to see how long we would have to withdraw our application.
- **Correspondence with Board of Selectmen** – The Board discussed some minor changes to the letter Ms. Martin prepared and added a sentence stating that the preference remains that the Board of Selectmen allow Town Counsel to take the case to Superior Court as a civil case. The letter would also stress the importance of enforcement of the state statutes and regulations. Along with the letter, the Board decided to add some educational materials to give the Board of Selectmen a better idea of the scope and variety of responsibilities required of the Board of Health.

V. Definitive Subdivision Plans

- **180 Abbot Street** – Mr. Carbone explained that this subdivision would have five building lots to be serviced by Town water and sewer, with a water main loop between Abbot Street and Porter Road through an Easement. The subdivision is opposite Rec Park and abuts the cemetery, so a new road would need to be created onto the property. Mr. Carbone recommended the Board approve with the standard conditions.

Motion by Ms. Kruse, seconded by Ms. Martin, to approve the Definite Subdivision Plans for 180 Abbot Street with the following conditions:

1. *Any modification, amendment, or change to the above-cited Definitive Plan shall be submitted as a new or modified Definitive Plan in accordance with the provisions of MGL Chapter 41, Section 81U.*
2. *Subject to Conservation Commission approval of the above dated plan by Order of Conditions or Negative Determination.*
3. *The drainage system shall meet the approval of the Andover Department of Public Works.*

Unanimous Approval.

- **Pine Forest Park – Preliminary Subdivision** – Mr. Carbone explained that this was a new Preliminary Subdivision Plan for Pine Forest Park. Mr. Carbone met with Mr. Petrosino at an Interdepartmental Review (IDR). Mr. Carbone spoke with Mr. Petrosino about the well issues. Mr. Carbone determined that there was not enough Deep Hole and Percolation testing done and questioned why. There were also other errors and other information not noted on the plans that needed to be added. Mr. Carbone recommended disapproval of the Preliminary Subdivision plan until all requirements are met and all testing results are added to the plans.

Motion by Ms. Kruse, seconded by Ms. Martin, to disapprove the Preliminary Subdivision Plans Pine Forest Park. The disapproval was unanimous.

VI. Plan Review

A. D.W.R.P. Variances/Local Upgrade Approvals –

- **14 Off Webster Street – Allow SAS to be 3’ above SHWT where 4’ is required (Not on Agenda) -** Mr. Carbone recommended approval and stated that the LUA would allow the homeowners to avoid the need to put in a wall to contain the slope. This would be an upgrade for a failed system. Mr. Carbone recommended approval.

Ms. Martin moved to approve the Local Upgrade Approval for 14 Off Webster Street, seconded by Ms. Kruse. Unanimous approval.

B. B.S.I.P. – Ratify

Ms. Kruse moved to ratify, seconded by Ms. Martin. The Board voted unanimously to ratify the following BSIP’s:

3	Charles Circle	TM	63	TL	16E
32	Forest Hill Drive	TM	191	TL	29
4	Midland Circle	TM	92	TL	18

5	Osgood Street	TM	155	TL	6
6	Osgood Street	TM	179	TL	22
176	River Road	TM	166	TL	8
174	River Road	TM	166	TL	7

C. S.S.A.P – Recommend Approval:

Ms. Kruse moved to approve, seconded by Ms. Martin. The Board voted unanimously to approve the following SSAP's:

32	Forest Hill Drive	TM	191	TL	29
28	Argilla Road	TM	93	TL	4C

D. S.S.U.P.– Recommend Approval:

Ms. Kruse moved to approve, seconded by Ms. Martin. The Board voted unanimously to approve the following SSUP:

176	River Road	TM	166	TL	8
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E. B.S.R.P. – Recommend Approval:

Ms. Martin moved to approve, seconded by Ms. Kruse. The Board voted unanimously to approve the following BSRP:

64	Burnham Road	TM	19	TL	1B
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VII. Staff Reports

A. Director's Report:

• **Important Dates:**

- December 9th, 6:30 p.m. to 8 p.m. - Wood Hill Flu Clinic.
- December 17th, 7 p.m. – Fish Brook Watershed Advisory Committee

B. Nurses' Reports for October and November, 2008 – The Nurses' Reports were for informational purposes only.

C. Inspectors' Reports for October and November, 2008 – The Inspectors' Reports were for informational purposes only.

VIII. Board Member Reports

- **Windsor Green Apartments (Not on Agenda)** – Mr. Carbone informed the Board that a resident complained that her neighbor had maggots and they were in her home as a result. Ms. Crafts, Health Agent, went to check out the situation and found there weren't any at the time of her visit.
- **Dale Street Issues (Correspondence)** - Mr. Carbone stated that the issues continue and that the resident has complaints about odors very frequently, but the Health Agent is not able to detect any odors when checking on her complaint.
- **Right to Know (Not on Agenda)** – Mr. Carbone informed the Board that Daniel Tremblay, Health Agent, is the Training Officer for the sessions for the Town of Andover. The training session runs approximately fifteen minutes in length. Mr. Tremblay explains how to read the data sheets concerning chemicals you may encounter in the workplace, as well as what can happen and what actions need to be taken.
- **Flu Home Visits (Nurses' Reports)** – Mr. Carbone explained that the nurses make home visits to the elderly and any resident who may not be able to get out to receive the vaccination.
- **Outdoor Dining (Correspondence)** – The Town Clerk's office sent the new Outdoor Dining Regulations to the various departments in the Town for their input. The Board discussed the expense of receiving an Outdoor Dining license because restaurants would have to pay an additional fee of \$500.00 for the yearly license. Some definitions were questioned as well as some of the wording, and Mr. Carbone made a notation to pass along the Board's comments to the Town Clerk.

At 7:00 p.m. the Board took a short recess to make changes to the letter to the Board of Selectmen.

The Members returned at 7:30 p.m. with their final letter with all changes incorporated. Mr. Carbone would give Ms. Martin a chance to speak with the Board of Health's Liaison with the Board of Selectmen, Ted Teichert, and would then mail out the letter and materials as discussed earlier.

IX. Adjournment

Motion by Ms. Martin, seconded by Ms. Kruse to adjourn at 7:31 p.m. Unanimous approval.